

Commissioner for Patents  
November 6, 2006  
Page 10 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

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### REMARKS

Claims 1-40 are pending and claims 1-40 stand rejected. The Office action rejected claims 1-40 under 35 USC § 102(b) and § 103(a) based upon U.S. Pat. 4,348,655 (hereinafter "Goertler"); U.S. Pat. 5,673,019 (hereinafter "Dantoni"); and U.S. Pat. 4,638,295 (hereinafter "Middlebrook"). Applicant respectfully believes that the objections and rejections have been traversed in light of the following remarks or no longer apply in light of the amendments.

### Specification

The Office action states that the last two paragraphs of the specification should be placed in the "Brief Description of the Drawings" section since they briefly describe the drawings. Applicant requests amendment to the "Brief Description of the Drawings" section accordingly. However, Applicant respectfully submits that there is no minimum description requirement for locating the description of the drawings in the "Detailed Description of the Drawings" section. Therefore, Applicant respectfully requests that this objection be withdrawn.

### Drawings

With regards to objections to the drawings for failing to show every feature specified in the claims, the Office action states:

...[t]herefore, **either a timing means or a clocking means that quantifies an amount of time during which the vehicle is turning** must be shown or the feature(s) cancelled from the claim(s)....

Applicant respectfully requests that the new drawing sheet with figures 3 and 4 be added in response to the objection. Figure 3 is supported by the first sentence of the second paragraph of the "Detailed Description of the Drawings" section on page 3:

The bridge between the sensory and switch inputs to outputting the altered turn signal is the control circuit.

Figure 4 is inherent to the objection and is supported in several places in the specification such as original claim 5 (which is now essentially paragraph 24):

Commissioner for Patents  
November 6, 2006  
Page 11 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

A system as described in claim 1 further comprising adjusting the turn signal frequency and/or intensity proportionally to the position of the shaft and/or the amount of time the vehicle has been turning.

Furthermore, Applicant respectfully submits that elements of the claims are included in the drawings in accordance with 37 CFR 1.83(a). 37 CFR 1.83(a) states:

§ 1.83 Content of drawing. (a) The drawing in a nonprovisional application must show every feature of the invention specified in the claims. **However, conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box)....**

Applicant respectfully submits that either "a timing means or clocking means" is not recited in the claims or the Office action is referring to a "control circuit", which is included in the claims and illustrated in the drawings. The claims include, e.g., "a control circuit ...to generate an output signal, wherein the output signal varies based upon the amount of time...", a system "wherein the frequency and/or intensity with which the turn signal blinks is varied based upon an amount of time during which the vehicle is turning...", and the like. Both figures 1 and 2 include embodiments of control circuits. These control circuits are illustrated generically with rectangular boxes and also include some specific circuitry. Specific embodiments of circuitry to capable of varying the frequency and/or intensity of the turn signal based upon "the amount of time during which the vehicle is turning" are well within the skill set of persons of ordinary skill in the art, and thus unnecessary for a proper understanding of the invention.

Figure 4 on the new drawing sheet addresses the objection more specifically than inclusion of "a timing means or a clocking means". In particular, a number of the claims include a functional description "...an amount of time during which the vehicle is turning..." and the Office action cites this phrase as a basis for the objection. Figure 4 adds "...an amount of time during which the vehicle is turning..." as a period of time on a timing diagram.

Furthermore, figure 3 on the new drawing sheet addresses the objection in the sense that it adds a more generic block diagram of a control circuit with an input and output. In the context

Commissioner for Patents  
November 6, 2006  
Page 12 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

of the application, figure 3 is sufficient to provide a proper understanding of the invention to a person of ordinary skill in the art in accordance with 37 CFR 1.83(a).

Applicant respectfully submits that additional illustrations are not essential for a proper understanding of the invention in accordance with 37 CFR 1.83(a) and that the phrase "an amount of time during which the vehicle is turning" is sufficiently clear to a person of ordinary skill in the art to enable such as person to understand, make, and use the invention. Therefore, Applicant respectfully requests that the objection be withdrawn.

#### **Claim rejections under 35 USC § 112**

Claims 1 and 5 stand rejected under 35 USC § 112 for being indefinite and failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular, the Office action states that the "frequency and/or intensity" must be changed to "frequency or intensity" because the specification only describes "frequency or intensity". Applicant respectfully submits that original claims 1 and 5 include the language "frequency and/or intensity" and that these claims are currently included in the specification as paragraphs 20 and 24. See the Office action response, dated November 30, 2005, to the Office action mailed on August 24, 2005. Therefore, Applicant respectfully requests that this rejection of claims 1 and 5 be withdrawn.

Furthermore, the Office action states that claim 5 must be changed to either "position of a shaft and the amount of time" or "position of a shaft or the amount of time". Applicant respectfully submits that original claim 5 includes the language "the position of the shaft and/or the amount of time" and that the original claim 5 is currently included in the specification as paragraph 24. Therefore, Applicant respectfully requests that this rejection of claim 5 be withdrawn.

#### **Claim rejections under 35 USC § 102**

Claims 1, 2, 4-7, 14, 16, 17, 20, 22, 24, and 28 stand rejected under 35 USC § 102(b) as being anticipated by Middlebrook and claims 11-13, 18, 36, 37, and 39 stand rejected under 35 USC § 102(b) as being anticipated by Dantoni. Applicant respectfully suggests that the rejections are traversed in the following remarks.

Commissioner for Patents  
November 6, 2006  
Page 13 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single reference.<sup>1</sup> Furthermore, the identical invention must be shown in as complete detail as is contained in the claim.<sup>2</sup>

Middlebrook

With regards to independent claim 1, the Office action fails to establish a prima facie case of anticipation by Middlebrook because citations of Middlebrook provided as support for the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, claim 1 states:

A system to sense when a turn signal for a vehicle is active and the vehicle is turning and *indicate that the vehicle is turning by varying a frequency and/or intensity with which the turn signal blinks, signaling to other motorists that the vehicle is turning, wherein the frequency and/or intensity with which the turn signal blinks is varied based upon an amount of time during which the vehicle is turning.* (emphasis added).

As cited, Middlebrook describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa in response to vehicle movement or engine acceleration. Middlebrook does not describe, teach or suggest, expressly or inherently, "[a] system to... indicate that the vehicle is turning by varying a frequency and/or intensity ... based upon an amount of time during which the vehicle is turning." Thus, Applicant respectfully requests that the rejection of claim 1 be withdrawn and that claim 1 be allowed.

With regards to claims 2-5, Applicant submits that claims 2-5 incorporate the limitations of claim 1. So Applicant respectfully requests that the rejections of claims 2-5 be withdrawn and the claims be allowed.

With regards to amended claim 6, the Office action fails to establish a prima facie case of anticipation by Middlebrook because citations of Middlebrook provided as support for the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, amended claim 6 states:

An apparatus to communicate a turn of a vehicle, the apparatus comprising:  
a sensor to detect a position of a shaft of the vehicle;

<sup>1</sup> *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

<sup>2</sup> *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Commissioner for Patents  
November 6, 2006  
Page 14 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

**a control circuit to generate an output signal, wherein the output signal varies in proportion to the position of the shaft; and  
a turn signal lamp to produce a turn signal based upon the output signal, wherein the output signal varies a frequency and/or intensity with which the turn signal lamp blinks in proportion to the position of the shaft.-(emphasis added).**

As cited, Middlebrook describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa in response to vehicle movement or engine acceleration. Middlebrook does not describe, teach or suggest, expressly or inherently, "[a]n apparatus ... comprising ... a turn signal lamp to produce a turn signal based upon the output signal, wherein the output signal varies a frequency and/or intensity with which the turn signal lamp blinks in proportion to the position of the shaft." Thus, Applicant respectfully requests that the rejection of claim 6 be withdrawn and that claim 6 be allowed.

With regards to claims 7-10, Applicant submits that claims 7-10 incorporate the limitations of claim 6. So Applicant respectfully requests that the rejections of claims 7-10 be withdrawn and the claims be allowed.

With regards to amended claim 14, the Office action fails to establish a prima facie case of anticipation by Middlebrook because citations of Middlebrook provided as support for the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, amended claim 14 states:

A vehicle comprising:  
a shaft;  
a sensor to detect a position of a shaft;  
**a control circuit to generate an output signal, wherein the output signal varies in proportion to the position of the shaft; and  
a turn signal lamp to produce a turn signal based upon the output signal, wherein the output signal varies a frequency and/or intensity with which the turn signal lamp blinks in proportion to the position of the shaft.-(emphasis added).**

As cited, Middlebrook describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa in response to vehicle movement or engine acceleration. Middlebrook does not describe, teach or suggest, expressly or inherently, "[a] vehicle comprising ... a turn signal lamp to produce a turn signal based upon the output

Commissioner for Patents  
November 6, 2006  
Page 15 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

signal, wherein the output signal varies a frequency and/or intensity with which the turn signal lamp blinks in proportion to the position of the shaft." Thus, Applicant respectfully requests that the rejection of claim 14 be withdrawn and that claim 14 be allowed.

With regards to claim 15, Applicant submits that claim 15 incorporates the limitations of claim 14. So Applicant respectfully requests that the rejection of claim 15 be withdrawn and the claims be allowed.

With regards to claims 16, 20, and 28, the Office action fails to establish a prima facie case of anticipation by Middlebrook because citations of Middlebrook provided as support for the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, claim 16 states:

A vehicle comprising:  
a wheel to turn the vehicle;  
a sensor to indicate whether the vehicle is turning;  
a control circuit to determine a sensor signal indicative of an amount of time that the vehicle has been turning and to generate an output signal, wherein the output signal varies based upon the amount of time; and  
a turn signal lamp to produce a turn signal based upon the output signal, **wherein the frequency and/or intensity with which the turn signal lamp blinks is varied based upon the amount of time.**-(emphasis added).

As cited, Middlebrook describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa in response to vehicle movement or engine acceleration. Middlebrook does not describe, teach or suggest, expressly or inherently, "[a] vehicle ... wherein the frequency and/or intensity with which the turn signal lamp blinks is varied based upon the amount of time." Thus, Applicant respectfully requests that the rejection of claim 16 be withdrawn and that claim 16 be allowed.

Claim 20 states:

A method for communicating a turn of a vehicle, the method comprising:  
generating an output signal with a frequency that varies in proportion to a position of a shaft; and  
outputting a turn signal in response to application of the output signal to a turn signal lamp, wherein the turn signal flashes in relation to the frequency.-(emphasis added).

Commissioner for Patents  
November 6, 2006  
Page 16 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

As cited, Middlebrook describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa in response to vehicle movement or engine acceleration. Middlebrook does not describe, teach or suggest, expressly or inherently, "...a frequency that varies in proportion to a position of a shaft..." Thus, Applicant respectfully requests that the rejection of claim 20 be withdrawn and that claim 20 be allowed.

With regards to claims 21-24, Applicant submits that claims 21-24 incorporate the limitations of claim 20. So Applicant respectfully requests that the rejections of claim 21-24 be withdrawn and the claims be allowed.

Claim 28 states:

A method for communicating a turn of a vehicle, the method comprising:  
**generating an output signal to communicate the turn, wherein a frequency of the output signal varies based upon an amount of time the vehicle has been moving while the wheels are turned at an angle; and**  
**applying the output signal to a turn signal lamp to vary a frequency with which the turn signal flashes.**-(emphasis added).

As cited, Middlebrook describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa in response to vehicle movement or engine acceleration. Middlebrook does not describe, teach or suggest, expressly or inherently, "...generating an output signal ... wherein a frequency of the output signal varies based upon an amount of time the vehicle has been moving while the wheels are turned at an angle; and applying the output signal to a turn signal lamp to vary a frequency with which the turn signal flashes..." Thus, Applicant respectfully requests that the rejection of claim 1 be withdrawn and that claim 1 be allowed.

With regards to claims 29-31, Applicant submits that claims 29-31 incorporate the limitations of claim 28. So Applicant respectfully requests that the rejections of claim 29-31 be withdrawn and the claims be allowed.

Dantoni

With regards to amended independent claim 11, the Office action fails to establish a prima facie case of anticipation by Dantoni because citations of Dantoni provided as support for

Commissioner for Patents  
November 6, 2006  
Page 17 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, amended claim 11 states:

An apparatus to communicate a turn of a vehicle, the apparatus comprising:  
a sensor to detect an angle of a wheel of the vehicle;  
a control circuit to generate an output signal, wherein the output signal varies based upon the angle of the wheel; and  
a turn signal lamp to produce a turn signal based upon the output signal, **wherein the angle of the wheel varies the frequency and/or intensity with which the turn signal lamp blinks.**-(emphasis added).

As cited and described, Dantoni describes turning on one to three lamps based upon the position of the shaft. Dantoni turns turn signal lamps either on or off. Unlike Dantoni, when utilizing a resistive type bulb as illustrated in Dantoni, claim 11 inherently requires variation of the amplitude of voltage across the turn signal lamp and/or the amplitude of the current through the turn signal lamp. The circuits are very different and the embodiment described by claim 11 is more versatile/advantageous in many respects because the invention of Dantoni requires space for three bulbs, three mounts, three sets of wiring etc. to provide three levels of intensity. Thus, Applicant respectfully requests that the rejection of claim 11 be withdrawn and that claim 11 be allowed.

With regards to claims 12-13, Applicant submits that claims 12-13 incorporate the limitations of claim 11. So Applicant respectfully requests that the rejections of claims 12-13 under 35 USC § 102(b) be withdrawn and the claims be allowed.

With regards to independent claim 18, the Office action fails to establish a prima facie case of anticipation by Dantoni because citations of Dantoni provided as support for the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, amended claim 18 states:

A vehicle comprising:  
a wheel;  
a sensor to detect an angle of the wheel;  
a control circuit to generate an output signal, wherein the output signal varies based upon the angle of the wheel; and  
a turn signal lamp to produce a turn signal based upon the output signal, **wherein the angle of the wheel varies the frequency and/or intensity with which the turn signal lamp blinks.**-(emphasis added).



Commissioner for Patents  
November 6, 2006  
Page 18 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

As cited and described, Dantoni describes turning on one to three lamps based upon the position of the shaft. Dantoni turns turn signal lamps either on or off. Unlike Dantoni, when utilizing a resistive type bulb as illustrated in Dantoni, claim 18 inherently requires variation of the amplitude of voltage across the turn signal lamp and/or the amplitude of the current through the turn signal lamp. The circuits are very different and the embodiment described by claim 18 is more versatile/advantageous in many respects because the invention of Dantoni requires space for three bulbs, three mounts, three sets of wiring etc. to provide three levels of intensity. Thus, Applicant respectfully requests that the rejection of claim 18 be withdrawn and that claim 18 be allowed.

With regards to claim 19, Applicant submits that claim 19 incorporates the limitations of claim 18. So Applicant respectfully requests that the rejection of claim 19 under 35 USC § 102(b) be withdrawn and the claim be allowed.

With regards to independent claim 36, the Office action fails to establish a prima facie case of anticipation by Dantoni because citations of Dantoni provided as support for the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, amended claim 36 states:

A method for communicating a turn of a vehicle, the method comprising:  
sensing an angle of a wheel of the vehicle while the vehicle is moving;  
generating an output signal based upon the angle; and  
**applying the output signal to a turn signal lamp to vary an intensity with which the turn signal lamp blinks based upon the angle.**-(emphasis added).

As cited and described, Dantoni describes turning on one to three lamps based upon the position of the shaft. Dantoni turns turn signal lamps either on or off. Unlike Dantoni, when utilizing a resistive type bulb as illustrated in Dantoni, claim 36 inherently requires variation of the amplitude of voltage across the turn signal lamp and/or the amplitude of the current through the turn signal lamp. The circuits are very different and the embodiment described by claim 36 is more versatile/advantageous in many respects because the invention of Dantoni requires space for three bulbs, three mounts, three sets of wiring etc. to provide three levels of intensity. Thus, Applicant respectfully requests that the rejection of claim 36 be withdrawn and that claim 36 be allowed.

Commissioner for Patents  
November 6, 2006  
Page 19 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

With regards to claims 37-38, Applicant submits that claims 37-38 incorporate the limitations of claim 36. So Applicant respectfully requests that the rejections of claims 37-38 under 35 USC § 102(b) be withdrawn and the claims be allowed.

With regards to independent claim 39, the Office action fails to establish a prima facie case of anticipation by Dantoni because citations of Dantoni provided as support for the rejections fail to describe, suggest or teach "each and every element as set forth in the claim[s]". In particular, amended claim 39 states:

A method for communicating a turn of a vehicle, the method comprising:  
sensing a position of a shaft of the vehicle;  
generating an output signal for the vehicle, wherein a wattage of the output signal varies based upon the position of the shaft; and  
**applying the output signal to a turn signal lamp to vary an intensity with which the turn signal lamp blinks based upon the position.**-(emphasis added).

As cited and described, Dantoni describes turning on one to three lamps based upon the position of the shaft. Dantoni turns turn signal lamps either on or off. Unlike Dantoni, when utilizing a resistive type bulb as illustrated in Dantoni, claim 39 inherently requires variation of the amplitude of voltage across the turn signal lamp and/or the amplitude of the current through the turn signal lamp. The circuits are very different and the embodiment described by claim 39 is more versatile/advantageous in many respects because the invention of Dantoni requires space for three bulbs, three mounts, three sets of wiring etc. to provide three levels of intensity. Thus, Applicant respectfully requests that the rejection of claim 39 be withdrawn and that claim 39 be allowed.

With regards to claim 40, Applicant submits that claim 40 incorporates the limitations of claim 39. So Applicant respectfully requests that the rejection of claim 40 under 35 USC § 102(b) be withdrawn and the claim be allowed.

#### **Claim rejections under 35 USC § 103(a)**

The Office action rejected claims 2-5, 8-10, 15-17, 19-31, and 33-40 under 35 USC § 103(a) as being unpatentable over Walton, Walton in view of Goertler, Walton in view of Dantoni, Dantoni, Dantoni in view of Middlebrooke, and Walton in view of Middlebrooke. Applicant believes that the rejections of the dependent claims 2-5, 7-10, 12-13, 15, 19, and 33-35

Commissioner for Patents  
November 6, 2006  
Page 20 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

are traversed as discussed above and that the rejections of claims 16-17, 20-31, and 36-40 are traversed with the arguments above in conjunction with the arguments below.

To establish a prima facie case of obviousness, three basic criteria must be met.<sup>3</sup> First, there must be a suggestion or motivation to modify or combine the references.<sup>4</sup> Second, there must be a reasonable expectation of success in the modification or combination.<sup>5</sup> Finally, the modification or combination must teach or suggest all of Applicants' claim limitations.<sup>6</sup>

*Dantoni in view of Middlebrooke*

With regards to amended claim 25, the Office action fails to establish a prima facie case of obviousness by Dantoni in view of Middlebrooke because citations of Dantoni and Middlebrooke provided as support for the rejections fail to teach or suggest all of Applicants' claim limitations.<sup>7</sup> In particular, amended claim 25 states:

A method for communicating a turn of a vehicle, the method comprising:  
generating a output signal based upon an angle of a wheel of the vehicle to  
communicate the turn; and  
**applying the output signal to a turn signal lamp to vary a frequency with  
which the turn signal flashes based upon an angle of a wheel of the vehicle  
while the vehicle is turning**-(emphasis added).

The Office action states:

...interpreted and rejected for the **same reasons as stated in the rejection of  
claims 11 and 20 as stated above regarding angle of wheel**-(emphasis added).

As cited, Dantoni describes turning on one to three lamps based upon the position of the shaft. The turn signal lamps are either on or off. Middlebrooke's disclosure describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa in response to vehicle movement or engine acceleration. The combination of Dantoni and Middlebrook essentially changes the frequency from 80 to 200 flashes per minute in response to vehicle movement or engine acceleration and turns on up to three bulbs to indicate the position

<sup>3</sup> Manual of Patent Examining Procedure §2142.

<sup>4</sup> *In re Vaack*, 947 F.2d 488, 493, 20 USPQ2d 1438, 1442 (Fed. Cir. 1991).

<sup>5</sup> *In re Merck & Co., Inc.*, 800 F.2d 1091, 1097, 231 USPQ 375, 379 (Fed. Cir. 1986).

<sup>6</sup> *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974).

Commissioner for Patents  
November 6, 2006  
Page 21 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

of the shaft. Neither patent describes, teaches, or suggests "applying the output signal to a turn signal lamp to vary a frequency with which the turn signal flashes based upon an angle of a wheel of the vehicle while the vehicle is turning." Therefore, the combination of Dantoni and Middlebrooke not only requires the use of impermissible hindsight<sup>8</sup> to attempt to reconstruct Applicants' invention, but the combination fails to achieve all of the elements of the claims. Applicant respectfully requests that the rejection of claim 25 be withdrawn and that claim 25 be allowed.

With regards to claims 26-27, Applicant submits that claims 26-27 incorporate the limitations of claim 25. So Applicant respectfully requests that the rejections of claims 26-27 under 35 USC § 103(a) be withdrawn and the claims be allowed.

With regards to independent claim 32, the Office action fails to establish a prima facie case of obviousness by Dantoni in view of Middlebrooke because citations of Dantoni and Middlebrooke provided as support for the rejections fail to teach or suggest all of Applicants' claim limitations.<sup>9</sup> In particular, claim 32 states:

A method for communicating a turn of a vehicle, the method comprising:  
determining an amount of time the vehicle has been moving while the wheels are turned; varying an output signal based upon the amount of time; and  
**applying the output signal to a turn signal lamp to produce a turn signal, wherein an intensity with which the turn signal lamp blinks is based upon the amount of time.**-(emphasis added).

As cited, Dantoni describes turning on one to three lamps based upon the position of the shaft. The turn signal lamps are either on or off. Middlebrooke's disclosure describes switching the frequency of the turn signal from 80 flashes per minute to 200 flashes per minute and vice versa. Neither patent describes, teaches, or suggests "wherein an intensity with which the turn signal lamp blinks is based upon the amount of time." Therefore, the combination of Dantoni and Middlebrooke not only requires the use of impermissible hindsight<sup>10</sup> to attempt to reconstruct Applicants' invention, but the combination fails to achieve all of the elements of the

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<sup>7</sup> *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974).

<sup>8</sup> *In re McLaughlin*, 443 F.2d 1392, 170 U.S.P.Q. 209, 212 (CCPA 1971)[Obviousness rejection cannot be based only on knowledge gleaned from Applicants' disclosure].

<sup>9</sup> *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974).

<sup>10</sup> *In re McLaughlin*, 443 F.2d 1392, 170 U.S.P.Q. 209, 212 (CCPA 1971)[Obviousness rejection cannot be based only on knowledge gleaned from Applicants' disclosure].

*Commissioner for Patents  
November 6, 2006  
Page 22 of 23*

*Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT*

claims. Applicant respectfully requests that the rejection of claim 32 be withdrawn and that claim 32 be allowed.

With regards to claims 33-35, Applicant submits that claims 33-35 incorporate the limitations of claim 32. So Applicant respectfully requests that the rejections of claims 33-35 under 35 USC § 103(a) be withdrawn and the claims be allowed.

With regards to other claims not mentioned above, Applicant submits that the claims incorporate the limitations of independent claims discussed above. So Applicant respectfully requests that the rejections of these other claims be withdrawn and the claims be allowed.

Commissioner for Patents  
November 6, 2006  
Page 23 of 23

Serial No. 10/607,291  
Art Unit: 2636 Examiner: Jennifer A. Mehmood  
Attorney Docket No.: AMG.4017.PAT

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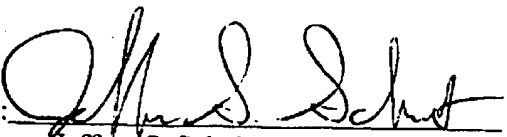
CONCLUSION

In the present response, Applicant has amended the claims and responded to the Office actions claim rejections under 35 USC §§ 102 and 103. Accordingly, Applicant believes that this response constitutes a complete response to each of the issues raised in the Office action. In light of the amendments made herein and the accompanying remarks, Applicant believes that the pending claims are in condition for allowance. Accordingly, Applicant requests that the rejections be withdrawn, pending claims be allowed, and application advance toward issuance. If the Examiner has any questions, comments, or suggestions, the undersigned attorney would welcome and encourage a telephone conference with Jeffrey Schubert at (512) 288-6635.

The Commissioner is authorized to charge or credit any overpayments or underpayments to Deposit Account No. 50-3295.

Respectfully submitted,

Date: Nov. 6, 2006

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